

SENATE RECORD VOTE ANALYSIS

106th Congress
1st Session

Vote No. 211

July 16, 1999, 10:41 a.m.
Page S-8706 Temp. Record

EMERGENCY SPENDING REFORM/Social Security Lockbox, Cloture

SUBJECT: A Bill to Provide Guidance for the Designation of Emergencies as a Part of the Budget Process. Lott motion to close debate on the Lott amendment No. 297 to the Lott amendment No. 296 to the instructions of the Lott motion to recommit.

ACTION: CLOTURE MOTION REJECTED, 52-43

SYNOPSIS: As reported, S. 557, a Bill to Provide Guidance for the Designation of Emergencies as a Part of the Budget Process, will enact new procedures for designating proposed spending as emergency spending in order to limit abuses of that designation (currently, if proposed new spending is classified as emergency spending and if that proposed new spending will cause the spending caps to be exceeded, only a simple majority vote is necessary to approve it; if it is not classified as emergency spending, then a three-fifths majority (60) vote point of order lies against it).

The Lott motion to recommit the bill to the Commerce Committee would instruct the Committee to report the bill back forthwith.

The Lott amendment to the instructions of the Lott motion to recommit would instruct the Commerce Committee to add the Abraham/Domenici/Ashcroft et al. amendment, which would create a Social Security "lockbox" (budget process protection) to preserve the \$1.8 trillion in Social Security surpluses that are expected to accrue in the next 10 years for Social Security. The lockbox would make it more difficult to spend those surpluses on new programs or on tax cuts. Details are provided below.

- Debt held by the public point of order. A limit on the debt held by the public would be created ("debt held by the public" refers to money that is owed to non-Federal creditors; currently only the public debt, which also includes money that the Federal Government owes to Federal trust funds as well as non-Federal creditors, is capped). That new debt limit would decline by the amount of the projected Social Security surpluses (declines would be annually in the first years, and biannually in the later years; over 10 years the decline would be \$149 billion less than the projected surpluses due primarily to factors known as "other means of financing" that affect the Government's need to borrow from the public; those factors include changes in cash balances and seigniorage). Each new debt limit would take effect on May 1 of the given year (the general fund of the Treasury has high levels of

(See other side)

YEAS (52)		NAYS (43)		NOT VOTING (5)	
Republicans (52 or 98%)	Democrats (0 or 0%)	Republicans (1 or 2%)	Democrats (42 or 100%)	Republicans (2)	Democrats (3)
Abraham	Helms	Roth	Akaka	Burns ⁻²	Boxer ⁻²
Allard	Hutchinson		Baucus	McCain ⁻²	Dodd ⁻²
Ashcroft	Hutchison		Bayh		Kerry ⁻²
Bennett	Inhofe		Biden		
Bond	Jeffords		Bingaman		
Brownback	Kyl		Breaux		
Bunning	Lott		Bryan		
Campbell	Lugar		Byrd		
Chafee	Mack		Cleland		
Cochran	McConnell		Conrad		
Collins	Murkowski		Daschle		
Coverdell	Nickles		Dorgan		
Craig	Roberts		Durbin		
Crapo	Santorum		Edwards		
DeWine	Sessions		Feingold		
Domenici	Shelby		Feinstein		
Enzi	Smith, Bob (I)		Graham		
Fitzgerald	Smith, Gordon		Harkin		
Frist	Snowe		Hollings		
Gorton	Specter		Inouye		
Gramm	Stevens		Johnson		
Grams	Thomas				
Grassley	Thompson				
Gregg	Thurmond				
Hagel	Voinovich				
Hatch	Warner				

EXPLANATION OF ABSENCE:

1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:

AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

cash reserves on May 1). A three-fifths majority (60) vote would be required to consider any legislation that would increase or exceed the limit on the debt held by the public. The limit would be suspended automatically if there were two successive quarters of economic growth of less than 1 percent or if there were a declaration of war in effect. The debt levels would be adjusted if estimates of projected Social Security surpluses changed, if Social Security reform legislation caused a change in the surpluses (just 1 adjustment could be made for this purpose), or if emergency legislation were enacted that caused a change in the Social Security surpluses.

- **Social Security point of order.** A point of order would be created in the Senate against considering any budget resolution that counted Social Security receipts or disbursements in its calculations.

- **Social Security surplus protection point of order.** A point of order would be enacted in the Senate against considering a budget resolution, amendment thereto, or conference report thereon, that would allow a deficit in any fiscal year, unless the deficit resulted from the enactment of Social Security reform legislation or emergency spending, as declared by Congress and the President. A three-fifths majority (60) vote would be required to waive the point of order.

- **Other provisions.** The above points of order would not apply against emergency, discretionary defense spending. Congress would reaffirm its support for the current-law ban on counting Social Security receipts and disbursements in budget calculations. The Treasury Department would be required to give priority to paying Social Security benefits should there be any shortage in Federal funds for paying Federal obligations, including Social Security obligations. The amendment would expire on April 30, 2010.

The Lott perfecting amendment to the Lott amendment would enact provisions with the same substantive effect as the underlying amendment.

On July 1, 1999, Senator Lott sent to the desk, for himself and others, a motion to close debate on the Lott second-degree amendment. Generally, those favoring the motion to invoke cloture favored the amendment; those opposing the motion to invoke cloture opposed the amendment.

NOTE: A three-fifths majority (60) vote is required to close debate. Other amendments and motions were pending at the time of the vote that filled available parliamentary motions for offering amendments. This vote was the fourth attempt to break a filibuster against voting on this particular proposal to protect Social Security (see vote Nos. 90, 96, and 166). Senate Democrats also filibustered an alternative proposal that passed with overwhelming bipartisan support in the House (see vote No. 170). Finally, they filibustered a motion to proceed to this bill, but, when the cloture vote was held, they switched their votes and supported cloture (see vote No. 193).

Those favoring the motion to invoke cloture contended:

A couple of weeks ago Senate Democrats indicated to us that they intended to filibuster the motion to proceed to this bill if we tried to take it back off the calendar. That threat forced us to file cloture. Senate Democrats made that threat after the House had passed a lockbox proposal on an overwhelming, bipartisan vote of 416-12 but before the President reversed his earlier position and announced that he favored a lockbox. After the President reversed himself, Senate Democrats were alone in their opposition to enacting protections for Social Security. As soon as they found themselves in that position, they decided that they would support cloture on the motion to proceed to the bill but they would still oppose any effort to vote on the lockbox proposal itself. A cynic may note that Democrats might try to use the first vote as a political cover vote to point to as evidence in support of their claim that they really favor a lockbox. Due to the continuing filibuster by Democrats, we have had to file cloture on that amendment yet again. All we are trying to do is get a vote. Once the amendment is adopted, or rejected, Democrats will be free to offer any amendments they wish. We do not know why Senate Democrats are again recalcitrant. We do not know if the Clinton/Gore Administration has quietly asked them to delay matters or if they are acting on their own to prevent this needed reform. We had a meeting at the White House earlier this week at which President Clinton assured us that he really meant it when he said that he wanted a lockbox to protect 100 percent of the Social Security surpluses that are going to accrue in the next 10 years. Has he done anything since? Has he asked Democratic Senators to stop their filibuster? We have seen no sign that he has done anything. Perhaps the Clinton/Gore Administration is secretly pleased with the filibuster, because, if a lockbox is not enacted, it will be possible to squander the Social Security surpluses. We very well recall that the budget that the Administration submitted for this year planned on spending 40 percent of the surpluses on welfare programs that had nothing to do with Social Security. Democrats have been filibustering this effort to protect Social Security since April. We urge them, for the sake of the millions of retirees, current and future, who need a healthy Social Security system, to relent.

Those opposing the motion to invoke cloture contended:

As we said on the last effort to invoke cloture on this amendment, our objection is not to creating a lockbox but to the parliamentary procedure that our Republican colleagues want to force us to follow. We think that we should go to a clean bill, let each side offer a set number of amendments on Social Security and Medicare (we think that Medicare is an important enough issue that we should consider lockbox amendments to protect it as well, even if it is not running surpluses that need to be protected). Our

Republican colleagues refuse to consider any such suggestions. They insist that it must be done their way or no way. That attitude will get them nowhere. Until they are willing to compromise on procedure, we will oppose cloture on this amendment.